

Early Bird expires 12 September

New 2008
amendments

Latest
case law
impacts

Trusts Structuring & Compliance in Business, Property & Investment

Assessing the risks and viabilities of trusts

17 October 2008
Dockside
Sydney

22 October 2008
Stamford Plaza
Brisbane

Don't miss this opportunity to:

- Explore urgent **issues impacting on listed and unlisted entities** concerning stapled and unstapled trusts
- Advise on **surviving liquidity crises, drops in asset values and higher interest rates**
- Consider the practical impacts of the **2008 Basis Capital** decision
- Applying changes in **2008 to tax withholding provisions** for trusts and foreign investment
- Link the crucial aspects of trusts and best practice in the **funds management industry**

Register Today! Ph: 1800 772 772
or visit: www.lexisnexis.com.au/pd

Expert speakers include:

Scott Charaneka, Partner, **Deacons**
Greg Cahill, Partner, **Cooper Grace Ward**
Tim L'Orange, Partner, **DLA Phillips Fox**
Jock McCormack, Partner, **DLA Phillips Fox**
Jamie Motum, Partner, **DLA Phillips Fox**
Graham Roberts, Partner, **Cooper Grace Ward**
Rachel Weeks, Partner, **HWL Ebsworth Lawyers**
Matthew Farnsworth, Senior Associate, **Blake Dawson**
Patrick James, Senior Foreign Associate, **Blake Dawson**

Product of:



LexisNexis[®]
Professional Development

Conference Program: 17 October, Sydney & 22 October, Brisbane

8.30 **Conference Registration**

9.00 **Opening remarks from the chair**

9.05 **An introduction and overview of structuring and managing trusts**

- Identifying the essential requirements for a trust deed
- Making variations to trusts by adding and removing beneficiaries

Highlighting the key steps in procedures, traps, and resettlement issues

- Stepping through the proper procedures for beneficiary disclaimers
- Distinguishing “net income” from “income” and highlighting the practical difficulties

2008 Cajkusic decision

- Applying income streaming and attribution clauses to trusts as tax minimisation strategies
- Distinguishing between fixed trusts and unit trusts and when it is important
- Discussing whether you can have a partnership of trusts with the same trustee

Greg Cahill, Partner in Revenue, Tax & Superannuation, **Cooper Grace Ward**

10.00 **Morning Tea**

10.15 **Exploring the mechanics of getting in and out of trusts**

Examining corporate governance and structures of listed trusts

- Getting the best overview of trustee duties and investor liability associated with the operation of managed investment schemes
 - Making the distinction between when a managed investment schemes needs to be registered and when it does not
 - Looking at the special requirements for duties and liabilities of a trustee as a responsible entity
 - Breaking down the elements as to whether unit holders enjoy limited liability

- Practical issues arising out of the **2008 Basis Capital** decision regarding application, issue and redemptions of units

Matthew Farnsworth, Senior Associate, **Blake Dawson Patrick James**, Senior Foreign Associate, **Blake Dawson**

11.15 **Current topical issues impacting on trusts in the funds management industry**

- Overview of investment structures in the funds management industry
- Key concerns regarding liquidity, asset valuation, risk management and disclosure for managed investment schemes
- Highlighting changes in the recent approach of ASIC to the operation of managed investment schemes
- Linking the crucial aspects of trusts and best practice in the funds management industry

Rachel Weeks, Partner, **HWL Ebsworth Lawyers**

12.15 **Networking lunch for speakers and delegates**

1.15 **Keeping up with the trend for stapling property and development trusts**

Reviewing stapled against unstapled Real Estate Investment Trusts

- Overview of the trends and changes in the REIT sector, including stapling and the payment of distributions
- Changes to the management of REITs in the current economic climate
- Walking through the structure of REITs and how they work
- Looking at the benefits and differences of stapled and unstapled trusts

Jamie Motum, Partner, **DLA Phillips Fox** and **Tim L'Orange**, Partner, **DLA Phillips Fox**

2.00 **Applying changes in 2008 to tax withholding provisions for trusts and foreign investment**

Changes in 2008

- Knowing which foreign investors are subject to withholding tax on certain distributions (fund payments)
- Working with the rate reduction of 30% to 7.5% over three years for the best strategic outcome
- Highlighting the potential benefits for investors in property and infrastructure trusts
- Showing how changes to the taxation of managed investment schemes can promote Australia as a regional financial services hub
- What the effective Exchange of Information (EOI) Countries means for your advice in relation to 37 countries
- Taking into account the impact and significance of treaties such as the Australia/Japan treaty
- Applying the changes to opportunities and unlisted countries

Jock McCormack, Partner, **DLA Phillips Fox**

2.45 **Afternoon Tea**

- 3.00 **Identifying issues for third parties and trusts in an insolvency scenario**
- Making sure you are aware of the remedies available to Creditors
 - Beware the weapons in the armoury of the liquidator
 - Assessing the merits of different strategies available to protect trust assets
 - Real world war stories involving contests by creditors over trust assets
 - Looking at what the most recent cases mean for practice tomorrow
- Graham Roberts, Partner, Cooper Grace Ward*
- 3.45 **Discussing whether superannuation trusts are a discrete species of trust unto their own**
- Operating trusts in an industry with more than 1 Trillion dollars in assets
 - Are you providing practical advice that is focused and across superannuation, trust, and taxation law?
 - With the differential treatment and specific requirements of super funds, are they a sub-species of trust?
 - Considering trust law principles in the context of a modern, "commercial" superannuation fund.
 - Considering the overlap of trust law principles and statutory covenants and obligations
- Scott Charaneka, Partner, Deacons*
- 4.45 **Conference close**

Register 2 and 3rd attends FREE!

Register a team of 2 for the Trust Structuring & Compliance at the same time, from the same organisation and receive a **free pass for the 3rd delegate**.

(See registration page for details)

Future events:

Recent Developments in Contract Law – NSW
16 September, Sydney

Estate Planning Toolkit – NSW/QLD
September – October, Sydney & Brisbane
Session 1: Essentials of Successful Estate Planning Preparation
Session 2: Untangling Superannuation Fund Benefits – A Critical Estate
Session 3: Unlocking the Complexities of Testamentary Trusts

Intellectual Property Law & Practice – NSW
17 September, Sydney

Mastering the complexities around Will Drafting – QLD
17 September, Brisbane

Overcoming the complexities in Property Law Transactions – NSW
23 September, Sydney

Minimising contractual risks in Property Transactions – QLD
23-24 September, Brisbane

Reducing risk of time & costs overruns in Construction & Infrastructure Projects – QLD
24-25 September, Brisbane

Minimising disputes & liability in Construction Law – NSW
24-25 September, Sydney

18th Annual Credit Law Conference 2008
1-3 Oct, Sanctuary Cove, QLD

NSW Conveyancing Conference
13-14 October, Sydney

3rd Annual Legal Drafting Training Series – NSW/QLD
14 October, Sydney & 21 October, Brisbane
Workshop 7: Taking Instructions for Will Drafting
Workshop 8: Employment Contracts – Offering, Drafting and Enforcing

For more information please visit www.lexisnexis.com.au/pd or ph: 1800 772 772

Priority registration form Trusts Structuring & Compliance in Business, Property & Investment

**4 easy ways
to register**

Phone: 1800 772 772
Fax: (02) 9422 2338
Online: www.lexisnexis.com.au/pd
Mail: Conference Co-ordinator, LexisNexis
Locked Bag 2222,
DX 29590 Chatswood NSW 2067

Please complete sections A, B, C, D

Conference code: PD5518-NSW, PD5618-QLD CPD reference no: CPD532 ABN: 70 001 002 357

A Delegate 1 details

Mr/Ms/Dr: _____
First name Last name

Position: _____

Organisation: _____

Postal address: _____

Suburb Postcode State

Telephone: _____

Fax: _____

Email (required**): _____

Delegate 2 details

Mr/Ms/Dr: _____
First name Last name

Position: _____

Telephone: _____

Fax: _____

Email (required**): _____

Delegate 3 details

Mr/Ms/Dr: _____
First name Last name

Position: _____

Telephone: _____

Fax: _____

Email (required**): _____

** to send conference confirmation

3rd Delegate FREE!

B Please tick as many practice areas you work in which apply:

- | | |
|---|---|
| <input type="checkbox"/> Banking & finance | <input type="checkbox"/> Family law |
| <input type="checkbox"/> Commercial litigation & ADR | <input type="checkbox"/> Insolvency & restructuring |
| <input type="checkbox"/> Corporate and commercial law | <input type="checkbox"/> Insurance and risk |
| <input type="checkbox"/> Criminal law | <input type="checkbox"/> Property |
| <input type="checkbox"/> Energy and resources | <input type="checkbox"/> Wills & estates |
| <input type="checkbox"/> Environment and planning | <input type="checkbox"/> Workplace relations, employment & safety |
| | <input type="checkbox"/> Other: _____ |

This will help us keep you informed about topics relevant to your business needs.

CONFERENCE RESOURCES

- I am unable to attend but would like to purchase a set of conference papers for the Trust Structuring & Compliance: \$300.00 + GST = \$330.00

TEAM DISCOUNTS*

- Register a team of 3 for the Trust Structuring & Compliance at the same time, from the same organisation and receive a free pass for the 3rd delegate.

* Early Bird, team discounts and any other discount cannot be taken concurrently

- Sydney Brisbane

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Event Pricing (please tick your selection)

Early Bird Special* (register & pay before 12 September 2008)

- One day conference \$950 + GST = \$1045.00

Standard Price (register & pay after 12 September 2008)

- One day conference \$1050 + GST = \$1155.00

Who Should Attend

- Property practice groups – Principal
- Finance practice groups – Partner
- Construction and development practice groups – Senior Associate
- Tax practice groups • In-house Counsel
- Funds management and superannuation practice groups • Tax specialists
- Financial Advisors
- Managed funds financiers
- Practitioners who advise on trusts

D Payment details

Payment is due upon registration

- Enclosed is my cheque for: \$ _____ made payable to LexisNexis

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Name of cardholder: _____

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Name of approving manager: _____

PROGRAM CHANGES

Details regarding this conference were confirmed and correct at the time of printing. LexisNexis reserves the right to cancel or amend the conference details at any time if required.

CANCELLATION

Your registration will be confirmed in writing when full payment is received. We will refund your registration in full less a \$165 administration fee if notification is received in writing up to but not including 1 month prior to the date of the event. If we receive written notification – any time up to but not including 2 weeks prior to the date of the event, you will receive a 50% refund & seminar documents. No cancellation requests will be accepted during the period 2 weeks prior to the event. You may nominate a replacement, however no refund will be issued.

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- Tick here if you DO NOT wish to receive information about upcoming events